

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 JOHN PADRICK  
Deputy Attorney General  
4 State Bar No. 155123  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 323-6708  
Facsimile: (916) 327-8643

7 *Attorneys for Complainant*

8  
9  
10 **BEFORE THE**  
11 **BOARD OF REGISTERED NURSING**  
12 **DEPARTMENT OF CONSUMER AFFAIRS**  
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

Case No. 2010-132

15 **SASHA DRURY**  
16 **1001 Coho Court**  
**Columbia, MO 65203**

**A C C U S A T I O N**

17 **Registered Nurse License No. 696045**

18 Respondent.

19  
20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
22 official capacity as the Interim Executive Officer of the Board of Registered Nursing ("Board"),  
23 Department of Consumer Affairs.

24 **License History**

25 2. On or about January 26, 2007, the Board of Registered Nursing issued Registered  
26 Nurse License Number 696045 to Sasha Drury ("Respondent"). The license was in full force and  
27  
28

1 effect at all times relevant to the charges brought herein and will expire on January 31, 2011,  
2 unless renewed.

### 3 JURIDISTION

4 1. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent  
5 part, that the Board may discipline any licensee, including a licensee holding a temporary or an  
6 inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of  
7 the Nursing Practice Act.

8 2. Code section 2764 provides, in pertinent part, that the expiration of a license shall not  
9 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
10 to render a decision imposing discipline on the license.

11 3. Code section 118, subdivision (b), provides that the suspension, expiration, surrender,  
12 or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a  
13 disciplinary action during the period within which the license may be renewed, restored, reissued  
14 or reinstated.

### 15 STATUTORY PROVISIONS

16 4. Code section 2761 states, in pertinent part:

17 The board may take disciplinary action against a certified or licensed  
18 nurse or deny an application for a certificate or license for any of the following:

19 (a) Unprofessional conduct, . . .

20 (4) Denial of licensure, revocation, suspension, restriction, or any other  
21 disciplinary action against a health care professional license or certificate by  
22 another state or territory of the United States, by any other government agency,  
or by another California health care professional licensing board. A certified  
copy of the decision or judgment shall be conclusive evidence of that action.

23 (f) Conviction of a felony or of any offense substantially related to the  
24 qualifications, functions, and duties of a registered nurse, in which event the  
record of the conviction shall be conclusive evidence thereof.

25 5. Code section 2762 states, in pertinent part:

26 In addition to other acts constituting unprofessional conduct within the  
27 meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct  
28 for a person licensed under this chapter to do any of the following:

1 (b) Use any controlled substance as defined in Division 10  
2 (commencing with Section 11000) of the Health and Safety Code, or any  
3 dangerous drug or dangerous device as defined in Section 4022, or alcoholic  
4 beverages, to an extent or in a manner dangerous or injurious to himself or  
5 herself, any other person, or the public or the extent that such use impairs his or  
6 her ability to conduct with safety to the public the practice authorized by his or  
7 her license.

8 (c) Be convicted of a criminal offense involving the prescription,  
9 consumption, or self-administration of any of the substances described in  
10 subdivisions (a) and (b) of this section, or the possession of, or falsification of a  
11 record pertaining to, the substances described in subdivision (a) of this section,  
12 in which event the record of the conviction is conclusive evidence thereof.

### 13 **COST RECOVERY**

14 6. Code section 125.3 provides, in pertinent part, that the Board may request the  
15 administrative law judge to direct a licentiate found to have committed a violation or violations of  
16 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
17 enforcement of the case.

### 18 **FIRST CAUSE FOR DISCIPLINE**

#### 19 **(Criminal Conviction)**

20 7. Respondent is subject to disciplinary action under Code section 2761, subdivision (f),  
21 in that on or about July 11, 2007, in the Superior Court of California, County of Los Angeles, in  
22 the case entitled, *People of the State of California v. Sasha Drury* (Super Ct. Los Angeles  
23 County, 2007, Case No. 7WA23629), Respondent was convicted on her plea of guilty of  
24 violating Vehicle Code section 23152, subdivision (b) (Driving While Having .08% or Higher  
25 Blood Alcohol Content), a misdemeanor. The circumstances of the crime were that on or about  
26 March 6, 2007, at 2:00 a.m. a Santa Monica Police Department officer observed Respondent  
27 driving a motor vehicle too slowly and impeding traffic. Subsequent to making contact with  
28 Respondent, she was given a chemical test of her breath with results of 0.24 % BAC, and 0.26%  
BAC. Such crime is substantially related to the functions, duties, and qualifications of a licensee.

1                                   **SECOND CAUSE FOR DISCIPLINE**

2                   **(Criminal Conviction Involving the Consumption of Alcohol and/or Drugs)**

3           8.     Respondent is subject to disciplinary action under Code section 2761, subdivision (a),  
4     on the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (c), in  
5     that Respondent was convicted of a crime involving the consumption of an alcoholic beverage, as  
6     set forth in paragraph 7, above.

7                                   **THIRD CAUSE FOR DISCIPLINE**

8                   **(Use an Alcoholic Beverage and/or Drugs to the Extent or**  
9                   **in a Manner Dangerous or Injurious to Himself or Others)**

10          9.     Respondent is subject to disciplinary action under Code section 2761, subdivision (a),  
11     on the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (b), in  
12     that Respondent consumed alcoholic beverages to an extent or in a manner dangerous or injurious  
13     to himself or others, as set forth paragraph 7, above.

14                                  **FOURTH CAUSE FOR DISCIPLINE**

15                                  **(Out-of-State Discipline)**

16          10.    Respondent is subject to disciplinary action under Code section 2761, subdivision  
17     (a)(4), on the grounds of unprofessional conduct, in that Respondent was denied licensure by the  
18     Arizona State Board of Nursing ("Arizona Board"). In the action entitled, *In the Matter of*  
19     *Application for License by: Sasha Drury, to Practice Professional Nursing in the State of*  
20     *Arizona*, pursuant to the Order of Denial No. 0803130, effective September 18, 2008,  
21     Respondent's application to practice as a professional nurse was denied and any temporary  
22     certificate issued to Respondent was revoked. Furthermore, Respondent is not eligible to reapply  
23     for licensure for a period of five years from the effective date of the Order of Denial. The  
24     underlying circumstances of the discipline are that the Arizona Board, on several different  
25     occasions, requested Respondent to provide a written explanation and specific court and police  
26     records regarding her arrests, citations or charges, and convictions. Respondent failed to provide  
27     any of the documentation.

1 A copy of the Arizona Board's Order of Denial No. 0803130, Findings of Fact and  
2 Conclusions of Law is attached as Exhibit A, and is incorporated herein.

3 **PRAYER**

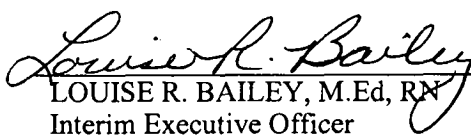
4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
5 and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking or suspending Registered Nurse License Number 696045, issued to  
7 Sasha Drury;

8 2. Ordering Sasha Drury to pay the Board the reasonable costs of the investigation and  
9 enforcement of this case, pursuant to Code section 125.3; and,

10 3. Taking such other and further action as deemed necessary and proper.

11  
12 DATED: 8/28/09

  
LOUISE R. BAILEY, M.Ed, RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant